

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT A. CARNELL,

Defendant.

Case No. 18-cr-40066-JPG

MEMORANDUM AND ORDER

This matter is before this Court on defendant Scott A. Carnell's motion for leave to proceed *in forma pauperis* (Doc. 216). A federal court may permit an indigent party to proceed without pre-payment of fees. 28 U.S.C. § 1915(a)(1). Nevertheless, a court can deny a qualified plaintiff leave to file *in forma pauperis* or can dismiss a case if the action is clearly frivolous or malicious or fails to state a claim. 28 U.S.C. § 1915(e)(2)(B)(i) & (ii).

Carnell's affidavit is insufficient to establish indigency. It is not signed by Carnell or an authorized financial officer of the institution in which he is confined. Additionally, and more importantly, Carnell has no proceeding pending before the Court at this time, so there is nothing for which the Court could grant him pauper status. For these reasons, the Court **DENIES** Carnell's motion (Doc. 216) **without prejudice** to refiling should he ever be in need of *in forma pauperis* status in a pending case before the Court.

IT IS SO ORDERED.

DATED: August 24, 2022

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE